

May 22, 2015



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 15869  
(THIRD REVISION)

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of lithium ion batteries exceeding the 35 Kg maximum weight authorized for transportation by cargo aircraft. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
  - d. This special permit serves as an approval under Special Provision A99 of the ICAO TI and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180 and the ICAO TI.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.102(c)(2), Special Provision A54 in that a lithium battery may not exceed 35 Kg when transported by cargo aircraft, except as provided herein.

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5. BASIS: This special permit is based on the application of Mercedes-Benz USA, LLC (MBUSA) dated March 14, 2014 submitted in accordance with § 107.105, the public proceeding thereon, and additional information received August 4, 2014 and March 19, 2015.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries	9	UN3480	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) Each battery must be individually packed in an inner packaging that completely encloses the battery and surrounded by cushioning material that is non-combustible and non-conductive inside an outer packaging.

(2) The outer packaging must be a UN Standard 4B aluminum box meeting the Packing Group I performance level or a UN Standard 4D plywood packaging meeting the Packing Group II performance level and must be packed in accordance with Packing Instruction 965 of the ICAO TI.

(3) The gross weight of a package may not exceed 400 kg.

(4) The shipments of each individual battery assembly must be transported in packaging as described on record with DOT/PHMSA prior to offering in transportation.

b. OPERATIONAL CONTROLS -

(1) Each battery is made up to 192 cells assembled with up to six modules at a maximum rating of 19.5 kWh and a maximum voltage of 403.2 V.

(2) Cells and batteries must be protected against short-circuiting.

(3) Cells and batteries must be equipped with an effective means to prevent dangerous reverse current flow when connected in parallel.

(4) A battery assembly which has a rating exceeding 6,200 Wh need not be tested in accordance with the UN Manual of Tests and Criteria, 5<sup>th</sup> Revised Edition provided that the assembly is equipped with a system capable of monitoring the battery assembly and preventing short circuits, or over discharge between the batteries in the assembly and any overheat or overcharge of the battery assembly.

c. TESTING REQUIREMENTS - Each cell and battery must be a type that has passed the required tests in accordance with the UN Manual of Tests and Criteria, 5<sup>th</sup> Revised Edition.

8. SPECIAL PROVISIONS:

a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).

b. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained and made available for examination at each facility where the materials are package and offered or reoffered for transportation.

d. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of countries of origin, transit, and destination.

e. The special permit holder must maintain a record of all activity conducted under the authority granted in this special permit.

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f. The record must contain a complete listing and number of shipments made to include:

(1) Dates of Shipment.

(2) Description of each type of shipment (to include origination/destination).

g. All of the above information must be made available upon request to a DOT representative or an enforcement Official.

h. A battery, battery assembly or monitoring system that is determined to be defective, may not be shipped under this special permit.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)–“The Hazardous Materials Safety and Security Reauthorization Act of 2005” (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term “exemption” to “special permit” and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm). Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: LAVALLE/SG